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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

10 Aladdin's Eatery Systems, Inc., an Ohio
11 corporation,

12 Plaintiff,
13 v.

14 PHWLV, LLC a Nevada limited liability
15 company; and OPBIZ, LLC, Nevada
16 limited liability company,

17 Defendants.

18 Case No. 2:18-cv-00412 APG-GWF

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**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINE FOR
DEFENDANT PHWLV, LLC TO
RESPOND TO AMENDED
COMPLAINT FOR DECLARATORY
JUDGMENT**

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(First Request)

10 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendant PHWLV, LLC ("PHWLV") and
11 Plaintiff Aladdin's Eatery Systems, Inc ("Plaintiff"), by and through their respective counsel,
12 hereby stipulate and agree to extend the deadline for Defendant PHWLV to plead or otherwise
13 respond to Plaintiff's Amended Complaint for Declaratory Judgment (Doc. #31) ("Amended
14 Complaint") until June 4, 2020, and request that the Court enter an Order approving the same. This
15 is the parties' first request for an extension of the deadline to respond to the Amended Complaint
16 since the entry of the Court's Order on PHWLV's Motion to Dismiss Amended Complaint on
17 April 20, 2020 (Doc. #48).

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ACTIVE 50183052v2

1 On March 22, 2019, the Court entered an Order (Doc. #30) granting PHWLV's Motion to
2 Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) (Doc. #21), and
3 providing Plaintiff until April 12, 2019 to file an Amended Complaint.

4 On April 12, 2019, Plaintiff timely filed its Amended Complaint (Doc. #31).

5 On June 10, 2019, PHWLV filed a Motion to Dismiss the Amended Complaint (Doc. #40),
6 which motion was thereafter fully briefed by the parties.

7 On April 20, 2020, the Court entered an Order (Doc. #48) denying PHWLV's Motion to
8 Dismiss Amended Complaint. As a result, the current deadline for PHWLV's response to
9 Plaintiff's Amended Complaint is May 4, 2020.

10 At this time, the parties are engaged in ongoing settlement discussions. As a result,
11 PHWLV has requested an additional extension until June 4, 2020 to enable the parties to pursue a
12 potential settlement. This is PHWLV's first request for an extension of its deadline to respond to
13 the Amended Complaint since the entry of an Order denying PHWLV's Motion to Dismiss
14 Amended Complaint. Plaintiff has agreed to the requested extension as a matter of professional
15 courtesy and in light of the parties' ongoing discussions.

16 This Stipulation is entered into in good faith and is not intended to delay these proceedings.
17 The parties will not be prejudiced by this Stipulation and the parties are in agreement with respect
18 to PHWLV's requested extension.

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Based on the foregoing, good cause exists to grant PHWLV's request and the parties respectfully request that the Court enter an order extending the deadline for PHWLV to plead or otherwise respond to the Amended Complaint until June 4, 2020.

Dated: April 28th, 2020

Dated: April 28th, 2020

By: /s/ Christopher R. Miltenberger
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IT IS SO ORDERED:

**UNITED STATES
MAGISTRATE/DISTRICT JUDGE**

DATED: 4/29/2020